

DETROIT INTERMODAL FREIGHT TERMINAL PROJECT
Draft Notes
Local Advisory Council Meeting
August 20, 2002
7:00 p.m.
Latino Family Services Center

Purpose: To involve Council members in a discussion of several items with emphasis on FHWA comment on how it addresses the use of federal funds for the DIFT and the draft Purpose and Need Statement.

Attendance: See attachment.

Discussion:

Introductions and Meeting Notes

Following introductions, Fran Alexander, the LAC facilitator, gave an overview of the Agenda. She then asked for any comments on the notes from the June 18th LAC meeting. Hearing none, it was indicated by Joe Corradino that the notes would be posted on the MDOT Web site.

Follow-up to June LAC Meeting

Mohammed Alghurabi indicated he followed the request made at the June LAC meeting by extending an invitation to each of CP and CN to join the Council. He noted that Gloria Combe of CN was supposed to be present at the meeting; however, she wasn't. CP was unable to attend because of a schedule conflict.

Don Cameron indicated that FHWA has taken the position that federal funds for the DIFT cannot be spent for the benefit of only one, two, or three railroads; all four must be treated equitably. He responded to the position of Karen Kavanaugh that Congress could reauthorize the funds to be spent on each of the four railroads at multiple locations, by indicating that reauthorizing the funding would be a challenge. Don Cameron indicated that there had been no decision made on approving the DIFT. He stressed that the impacts of the alternatives must be studied before a decision could be made.

Kathryn Savoie asked whether the Environmental Impact Statement must look at other alternatives than the Rail Strategy 3. She also asked if consolidation were the main focus of the DIFT. She indicated that alternatives can and should be developed beyond those currently being considered. It was noted in response to Kathryn's comment that alternatives are being considered and that the federal process is not being contradicted. Joe Corradino indicated that the premise of the Communities for a Better Rail Alternative alternative is incorporated in the EIS process as it is the "no action" alternative. Karen Kavanaugh objected to that characterization as misrepresenting the CBRA position. Joe Corradino indicated that no expansion of the current terminal while other terminals continue to exist and/or expand, was the "no action" option and it was consistent with his understanding of CBRA's alternative. Karen Kavanaugh then asked for case law that supports FHWA's position that federal funds cannot be spent to the benefit of fewer than all railroads serving the area.

In response to comments made by Kathryn Savoie and Karen Kavanaugh about alternatives, Joe Corradino referred to the Notice of Intent to undertake the EIS published in the *Federal Register* in mid-March. He indicated that all previous work on alternatives would be documented in the Environmental Impact Statement and that Rail Strategy 3 would likely be modified from the definition established at the end of the Feasibility Study.

Don Cameron indicated that he sensed from the comments being made by Kathryn Savoie and Karen Kavanaugh that they believe decisions have already been made. He again stressed that the EIS is a full disclosure process and that no decision by his agency, FHWA, had been made.

Father Redican asked if the federal government walked away from the project, will anything happen in the area of the Livernois Junction Yard? Don Cameron indicated that no action is always an alternative. However, it was also noted that federal funds currently available could not be spent if consolidation did not occur. Carmine Palombo indicated that if the project results in a decision to support no action, that the railroads will continue to carry on their business as they do today, both in the Livernois-Junction Yard area and in other places in the region. If no federal funds were made available to protect the area from the continuation of intermodal activity, the outcome would have its impacts which would be difficult to mitigate.

Karen Kavanaugh again stressed that she had asked in June for case law dealing with how/why the federal government is prevented from spending its funds for the benefit of a few railroads rather than all. Joe Corradino noted that he was not aware that case law was requested, as that was not specifically indicated in the notes. Nevertheless, Don Cameron stated that he would follow-up to the extent possible on that request.

Karen Kavanaugh then requested that all meetings of the LAC be recorded. After some discussion about the informal nature of the LAC meetings, no action was taken with respect to recording each meeting.

As the discussion on federal intent concluded, Kathryn Savoie noted that she does believe that there should be another alternative besides consolidation. She indicated she wanted a broader range of alternatives than Rail Strategy 3 and No Action. Father Redican then commented that while he was cynical a year ago about the DIFT Project, he feels that changes are being made in response to community comment. And, while there is a long way to go, he believes that there is a point at which a federal agency can determine how it intends to spend its money. He stressed that something needs to be done in southwest Detroit because what exists today is unacceptable. He urged that any opportunity to improve the situation in southwest Detroit not be discarded prematurely.

Purpose and Goal Statement

Mohammed Alghurabi indicated that at the June 18 LAC meeting Karen Kavanaugh indicated that the purpose of the project should reflect more consideration of the “host community” in which the intermodal terminal was proposed to reside. Mohammed indicated that a similar request was made in a letter from Karen and others following the last LAC meeting. Nevertheless, it was decided that such language would not be added as the overall focus of the project addresses the concerns of the local community.

Kathryn Savoie then indicated her concern that the intermodal traffic would go through neighborhood streets. Joe Corradino noted that proposals for the intermodal terminal documented to date have been to channelize traffic away from neighborhood streets and introduce them to the terminal at specific gates as directly connected as possible to the freeway system. He noted that the DIFT would cause a number of major generators of truck traffic in the

neighborhood to be relocated thereby eliminating this traffic on local streets. Specifically, he discussed the truck terminal at the northwest corner of Central and Kronk. He noted that that operation is proposed for relocation and its truck activity which often uses Central Avenue would be eliminated.

Greg Gorno commented that it is the preference of truckers to go along a dedicated route as opposed to residential streets.

Kathryn Savoie articulated some concerns about air quality data in the area. Joe Corradino responded that channelizing trucks the way the DIFT Project proposes will have a beneficial effect on carbon monoxide impacts along neighborhood streets. He indicated that such information was provided in the Feasibility Study. Additionally, he noted that the Feasibility Study discussed pollutants other than carbon monoxide (such as particulate matter, NO_x, ozone) and that no federal standard established to protect the public health is expected to be violated in the year 2025 because of DIFT traffic.

Kathryn Savoie inquired whether or not particulate matter would be examined as part of the analysis. Joe Corradino again referred to the Feasibility Study reports that were produced in October and December indicating that particulate matter (both PM 2.5 and PM 10) had been analyzed and will continue to be analyzed in the DIFT EIS.

Ninfa Cancel indicated that the issue of concern to her is community revitalization including the creation of jobs and other beneficial development for the area. She indicated that the jobs that were provided in Chicago that she heard about on the tour of July 16th were union jobs and required various standards to be met which would preclude a number of people in Southwest Detroit/East Dearborn from being eligible for those positions. Joe Corradino indicated that the economic analysis that would be undertaken would examine the jobs gained and lost in the local area as well as the region and will also discuss wages and taxes generated as a result of those jobs. Father Redican indicated at this point that there are some issues that go well beyond the scope of the Environmental Impact Statement that are being brought out. He noted that while they are issues of importance, they deserve attention in another forum.

Greg Gorno indicated that there is potential for significant federal funds to be spent on freight and intermodal traffic.

At this point, the meeting turned to a concern articulated by Kathryn Savoie of the importance of making sure, as MDOT goes about its environmental analysis processes, that the wrong message isn't sent to residents in the area, i.e. that MDOT is coming to buy them out. Sherry Piacenti indicated that every effort was being taken to ensure that such an impression was not given. Karen Kavanaugh referred to the City Planning Commission's report published in June on the history of relocation of businesses in the City of Detroit and how often businesses relocated by public projects did not stay in the area. Sherry Piacenti indicated, while it is not possible to force people to stay in specific areas as they are relocated by an MDOT project, that MDOT would make every effort to encourage relocation in the local area.

Draft Purpose and Need

Joe Corradino provided an overview of how the draft Purpose and Need was prepared and its intended use. Following his explanation, he indicated that comments on the document would be accepted both at this LAC meeting and through August 30th. Additionally, the DIFT Project team would meet with any LAC member, and other people they invite, to discuss the draft Purpose and Need Statement.

Fran Alexander then inquired who had read the document. Father Redican and Greg Gorno were the only two who indicated that they had. Father Redican then commented that, on the negative side, he believed the document was trying to explain the proposal to consolidate the DIFT in southwest Detroit. On the positive side, he noted that an explanation had been provided in Section 5 of the environmental issues to be assessed.

Joe Corradino then referred to pages 27, 28 and 29 on which Father Redican was commenting and invited others to review the impact issues as they affect their unique concerns.

Greg Gorno indicated that he learned things by reading the Purpose and Need statement and felt that interesting items were brought out by the studies so far.

Kathryn Savoie referred to page 8 of the Purpose and Need statement and questioned the data on Figure 4 as it related to a downturn in 2001 in intermodal traffic. Greg Gorno indicated that such a downturn was related to the overall decline in the U.S. economy. He explained that, additionally, his observation of industry trends in the trucking industry, indicate ever-increasing growth of intermodal traffic. Joe Corradino referred to page 10 of the report where it indicated that current survey work is underway to determine the 2002 intermodal lift activity in the region.

Joe Corradino indicated that some items discussed with the LAC may require more detail than the group, as a whole, desires. Therefore, he stated that the project team was available to go over models, input and output data, for all impact items.

Karen Kavanaugh stressed that she needs a better understanding of the need for the project. To that end, she wants to hear not from the project team but for the beneficiaries, such as all of the railroads and the Big 3 automakers. In partial response, Marc Higganbotham provided an explanation of the railroad intermodal business. He indicated that because of the competitiveness among the railroads, the information that Karen and Kathryn want to be displayed in a public fashion will not be because the railroads will protect it as privileged information. Marc also noted that as far as Norfolk Southern is concerned, its intermodal operation would continue to expand.

Karen Kavanaugh then stated that intermodal activity that had been forecast to be diverted from Chicago was of a distance that is too short for the intermodal market. Marc Higganbotham indicated that that was not the case. He noted that Canadian Pacific, for example, was actively competing with truck transportation for intermodal business at distances under 300 miles. It was noted that the nature of the intermodal business is so dynamic that things are changing every day and that distances for rail to be competitive with truck were also shortening regularly.

In response to a question by Karen Kavanaugh about the “underutilization” of the Detroit-Livernois Yard, Marc Higganbotham indicated that his company has run out of room at its Delray and Melvindale sites; the Melvindale operation is being shifted to Livernois in order to meet the demand. Additionally, the automobile companies are telling Norfolk Southern they are in need of intermodal transportation service.

Father Redican commented that he got the sense from his tour of Chicago that the nature of the intermodal businesses is evolving quickly. He also noted Detroit's No. 1 position in the country in terms of the effects of NAFTA. He indicated it was his belief that there was a shift in emphasis in terms of rail traffic from an east-west direction to more of a north-south direction.

Other Items

As 9:00 p.m. approached, it was noted that the agenda was much too extensive for the current meeting. Father Redican suggested that future agendas be much more focused and that an additional meeting was needed to complete the agenda at hand. It was decided that a meeting would be held on September 18th (7 p.m.) to discuss the remaining items on the agenda.

Public Comment

Paul Slaven pointed to page 19 of the draft Purpose and Need statement dealing with the Delray yard and indicated that solutions to the capacity restraint in the area had been discussed 14 years ago.

Brad Emsley questioned whether a water port interface would occur with the proposed DIFT. Joe Corradino indicated that that was not likely. Greg Gorno also contributed by indicating that container ships are too large to use the Soo locks and, therefore, that intermodal activity through the Detroit river port was highly unlikely.

Martha Gruelle questioned the merit of incorporating the results of the Mercer reports as far back as 1993 and 1994 in the Purpose and Need Statement. She noted that among 16 points made on Tables 1 and 2, that 11 were no longer operable as the concept of a "condominium" terminal had been discarded. Joe Corradino noted that the Purpose and Need, as well as other parts of the EIS document, are intended to fully disclose all relevant information including that which is part of the foundation of the DIFT, i.e., the early Mercer reports. However, he also noted that information was provided on pages 8 and 9 that cited current activity which allowed the reasonableness of the earlier Mercer conclusions to be judged.

Martha Gruelle challenged the analysis of alternatives in Table 5 and indicated that the results of the scoring were so close that the results should point to examining the continued expansion of

existing terminals. Joe Corradino stressed that such an alternative is considered “no action” and is part of the EIS process.

Marty Connour asked whether additional work was being done as it relates to the access through Lonyo to his company’s business (MARS). Joe Corradino provided an explanation of the ongoing work.

Pastor Young spoke about being reasonable in terms of the requests being made by members of the LAC of the information to be produced in the EIS process. He indicated that the process cannot deal with every single issue that a citizen wants to speak about.

Victor Abila indicated that he could not understand why the federal funds currently available through Congress could not be used for expansion of existing terminals. Joe Corradino responded with an example of how the proposal to enhance the west side of Livernois was being undertaken by the state government with, hopefully, federal assistance. He noted that from time immemorial, nothing had been done by the railroads to enhance the edges of their property. Therefore, he said that a logical extension of that situation is that the “no action” alternative would not see significant railroad or federal investment like that to be made if the DIFT were approved. At this point, Karen Kavanaugh made it clear that if someone supported the Livernois enhancement project, it should not be interpreted as supporting the DIFT. She then went on in response to a question by Mohammed Alghurabi to define the proposal of CBRA. Her comments indicated that CBRA supports no expansion of the terminal beyond the existing footprint of the current rail property and no acquisition. She noted that access and exit should be limited to no more than two points.

Paul Slaven made a distinction between his understanding of intermodal yards and depots citing his opinion of what would happen locally if the railroads controlled everything with the DIFT.

Pastor Young again stressed that everybody should be reasonable, and that the discussion is not a one-way street simply to respond to demands to meet community needs.

Father Redican noted that it is the right of the local community to demand information and understand the details of the project. Nevertheless, he stressed that if the local community

wanted to pursue an alternative course by reshaping federal legislation, it did not have to wait for special funding, or a grant, as suggested by Kathryn Savoie, to do so.

The meeting concluded about 9:00 p.m. with a reiteration that the next meeting would be on September 18th beginning at 7:00 p.m. Joe Corradino also noted that the scoping meeting had been changed from September 20th to September 19th and would begin at 9:00 a.m. with a bus tour.

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August 20, 2002
DIFT Local Advisory Council Meeting
7:00 p.m.
Latino Family Services

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